

Fill in this information to identify your case:

United States Bankruptcy Court for the:

EASTERN DISTRICT OF NORTH CAROLINA

Case number (if known) Chapter **11**☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name **JCS Hospitality LLC**

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and *doing business as* names**DBA Fork n Cork**3. Debtor's federal Employer Identification Number (EIN) **46-4793551**

4. Debtor's address Principal place of business

**122 Market Street
Wilmington, NC 28401-4442**

Number, Street, City, State & ZIP Code

New Hanover

County

Mailing address, if different from principal place of business

**229 Grand Champion Road
Wilmington, NC 28412**

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL) **<https://www.theforkncork.com/>**

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))☐ Partnership (excluding LLP)☐ Other. Specify: _____

Debtor **JCS Hospitality LLC**
Name

Case number (if known)

7. Describe debtor's business**A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?**Check one:**

- ☐ Chapter 7
- ☐ Chapter 9

☒ **Chapter 11. Check all that apply:**

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☒ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11.** If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- ☒ No.
- ☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

Debtor **JCS Hospitality LLC**
Name

Case number (if known)

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?
- ☒ No
☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor
District

When

Relationship

Case number, if known

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No☐ Yes.

Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

- ☐ It needs to be physically secured or protected from the weather.

- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

- ☐ Other

Where is the property?

Number, Street, City, State & ZIP Code

Is the property insured?

☐ No☐ Yes.

Insurance agency

Contact name

Phone

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000

15. Estimated Assets

☒ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

16. Estimated liabilities

☐ \$0 - \$50,000☐ \$1,000,001 - \$10 million☐ \$500,000,001 - \$1 billion

Debtor	JCS Hospitality LLC	Case number (if known)	
	Name		
	<input type="checkbox"/> \$50,001 - \$100,000	<input type="checkbox"/> \$10,000,001 - \$50 million	<input type="checkbox"/> \$1,000,000,001 - \$10 billion
	<input type="checkbox"/> \$100,001 - \$500,000	<input type="checkbox"/> \$50,000,001 - \$100 million	<input type="checkbox"/> \$10,000,000,001 - \$50 billion
	<input checked="" type="checkbox"/> \$500,001 - \$1 million	<input type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> More than \$50 billion

Debtor **JCS Hospitality LLC**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **February 16, 2024**
MM / DD / YYYY**X /s/ Patricia Diane Smith**
Signature of authorized representative of debtor**Patricia Diane Smith**
Printed nameTitle **Managing Member****18. Signature of attorney****X /s/ Richard P. Cook**
Signature of attorney for debtorDate **February 16, 2024**
MM / DD / YYYY**Richard P. Cook 37614**
Printed name**Richard P. Cook. PLLC**
Firm name**dba Cape Fear Debt Relief**
7036 Wrightsville Avenue, Suite 101
Wilmington, NC 28403
Number, Street, City, State & ZIP CodeContact phone **(910)399-3458**Email address **CapeFearDebtRelief@gmail.com****37614 NC**
Bar number and State

**United States Bankruptcy Court
Eastern District of North Carolina**

In re **JCS Hospitality LLC**

Debtor(s)

Case No.

Chapter

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VERIFICATION OF CREDITOR MATRIX

I, the Managing Member of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **February 16, 2024**

/s/ Patricia Diane Smith

Patricia Diane Smith/Managing Member

Signer/Title

AlSCO Inc.
Attn: Managing Officer or Agent
505 East 200 South
Salt Lake City, UT 84102

Fundamental Capital, LLC / Nexi
Attn: Managing Officer or Agent
20803 Biscayne Boulevard, Suite 300
Miami, FL 33180

North Carolina Dept. of Revenue
Attn: Bankruptcy Unit
PO Box 1168
Raleigh, NC 27602

Bricker Graydon LLP
Attn: Managing Officer or Agent
7570 Bales Street, Suite 220
West Chester, OH 45069

Green Grass Holdings LLC
d/b/a FTC Funding
Attn: Managing Officer or Agent
1 Whitehall St, 2nd Fl
New York, NY 10004

North Carolina Industrial Commissi
Attn: Managing Officer or Agent
430 N. Salisbury Street
Raleigh, NC 27603

C T Corporation System
Attn: Managing Officer or Agent
Attn: SPRS
330 N Brand Blvd, Suite 700
Glendale, CA 91203

Internal Revenue Service
Centralized Insolvency Operations
PO Box 7346
Philadelphia, PA 19101

Performance Foodservice
Attn: Managing Officer/Agent
12500 West Creek Parkway
Richmond, VA 23238

Cintas Corporation
Attn: Managing Officer/Agent
PO Box 630803
Cincinnati, OH 45263

Law Offices of Isaac H. Greenfield
Attn: Managing Officer or Agent
2 Executive Blvd., Ste. 305
Suffern, NY 10901

Shanna M. Kaminski
Attn: Managing Officer or Agent
P.O. Box 247
Grass Lake, MI 49240

Corporation Service Company
Attn: Managing Officer or Agent
PO Box 2576
Springfield, IL 62708

Law Offices of Marcella Rabinovich
Attn: Managing Officer or Agent
100 Garden City Plaza
Garden City, NY 11530

The Business Backer
Attn: Managing Officer or Agent
10856 Reed Hartman Highway
Suite 100
Cincinnati, OH 45242

East Hudson Capital LLC
d/b/a Global Capital Experts
Attn: Managing Officer or Agent
2999 NE 191st Street, Unit 910
Miami, FL 33180

LG Funding
Attn: Managing Officer or Agent
1218 Union St
Brooklyn, NY 11225

United States Attorney
Attn: Managing Officer Or Agent
150 Fayetteville Street
Suite 2100
Raleigh, NC 27601

First Bank
Attn: Managing Officer or Agent
PO Box 3205
Sanford, NC 27331

Miriam M. Fernz
224 Lee Cut Lane
Wrightsville Beach, NC 28480

United States Attorney General
US Dept. of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530-0001

First Bank
Attn: Managing Officer or Agent
PO Box 70222
Philadelphia, PA 19176-0222

NC Dept of Commerce, DES
Attn: Manager of Agent
PO Box 26504
Raleigh, NC 27611

US Foods, Inc.
Attn: Managing Officer or Agent
PO Box 602286
Charlotte, NC 28260

FTC Advance
Attn: Managing Officer or Agent
1 Whitehall St, Suite 200
New York, NY 10004

NCR Voyix Corporation
Attn: Managing Officer or Agent
864 Spring St NW
Atlanta, GA 30308

**United States Bankruptcy Court
Eastern District of North Carolina**

In re **JCS Hospitality LLC**

Debtor(s)

Case No.

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LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Estate of James Clayton Smith c/o Patricia Diane Smith Administratrix 229 Grand Champion Road Wilmington, NC 28412		100%	Member

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the **Managing Member** of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date **February 16, 2024**Signature **/s/ Patricia Diane Smith****Patricia Diane Smith**

*Penalty for making a false statement of concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.*

**United States Bankruptcy Court
Eastern District of North Carolina**

In re **JCS Hospitality LLC**

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CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **JCS Hospitality LLC** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☒ None [*Check if applicable*]

February 16, 2024

Date

/s/ Richard P. Cook

Richard P. Cook 37614

Signature of Attorney or Litigant
Counsel for **JCS Hospitality LLC**

Richard P. Cook. PLLC

**dba Cape Fear Debt Relief
7036 Wrightsville Avenue, Suite 101
Wilmington, NC 28403
(910)399-3458 Fax:(877) 836-6822
CapeFearDebtRelief@gmail.com**